

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FELONY

**INDICTMENT FOR VIOLATIONS OF THE
FEDERAL CONTROLLED SUBSTANCES ACT**

UNITED STATES OF AMERICA	*	CRIMINAL DOCKET NO:
v.	*	SECTION:
KEVIN WHITTINGTON	*	VIOLATIONS: 21 U.S.C. § 841(a)(1) 21 U.S.C. § 841(b)(1)(B)
	* * *	

The Grand Jury charges that:

COUNT 1

On or about July 6, 2009, in the Eastern District of Louisiana, the defendant, **KEVIN WHITTINGTON**, did knowingly and intentionally possess with intent to distribute five grams or more of cocaine base (“crack”), a Schedule II narcotic drug controlled substance; all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

NOTICE OF FORFEITURE

1) The allegation of Count 1 of this Indictment is realleged and incorporated by reference as though set forth fully herein for the purpose of alleging forfeiture to the United States of America pursuant to the provisions of Title 21, United States Code, Section 853.

2) As a result of the offense alleged in Count 1 the defendant, **KEVIN WHITTINGTON**, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the said violations and any and all property used or intended to be used in any manner or part to commit or to facilitate the commission of the violation alleged in Count 1 of this Indictment.

3) If any of the property subject to forfeiture pursuant to Paragraph 2 of this Notice of Forfeiture, as a result of any acts or omissions of the defendant, **KEVIN WHITTINGTON**:

- a) cannot be located upon the exercise of due diligence;
- b) has been transferred or sold to, or deposited with, a third person;
- c) has been placed beyond the jurisdiction of the Court;
- d) has been substantially diminished in value; or
- e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

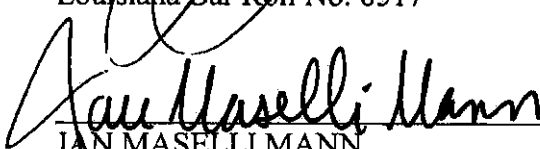
All in violation of Title 21, United States Code, Section 853.

A TRUE BILL:


FOREPERSON



JIM LETTEN
UNITED STATES ATTORNEY
Louisiana Bar Roll No. 8517



JAN MASELLI MANN
First Assistant United States Attorney
Louisiana Bar Roll No. 9020



ANDRE' JONES
Assistant United States Attorney
Louisiana Bar Roll No. 23502

New Orleans, Louisiana
July 16, 2009